

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LANE MYERS,

Plaintiff,

Case No. 1:22-cv-748

v.

HONORABLE PAUL L. MALONEY

CHRISTOPHER WREN, et al.,

Defendants.

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**ORDER REVOKING REFERRAL TO VOLUNTARY FACILITATIVE MEDIATION**

Pursuant to the case management order, this case has been referred to voluntary facilitative mediation (ECF No. 25). For the reasons stated below, the Court will revoke the referral to voluntary facilitative mediation and a settlement conference with the magistrate judge will be scheduled.

Having participated in a scheduling conference pursuant to Rule 16 of the Federal Rules of Civil Procedure, the parties selected William W. Jack, Jr. to serve as the mediator in this case. Because plaintiff is proceeding *in forma pauperis* in this case (Order, ECF No. 6), the fee assessment to be paid by the plaintiff is waived. *See* W.D. Mich. LCivR 16.3(b). The rules for this court further provide that, “In cases in which one or more parties cannot afford the fees of a neutral, the court may request that the neutral serve pro bono, by waiving or reducing the fee for the indigent party. All other parties are expected to pay the full fee.” *See* W.D. Mich. LCivR 16.2(h).

The Court has not requested Mr. Jack waive or reduce his fees for this case and will not do so. The Court has the inherent authority to modify its scheduling order for good cause. *See* Fed.

R. Civ. P 16(b)(4). Finding good cause does exist, the referral of this case to voluntary facilitative mediation is REVOKED. The \$25.00 mediation assessment fee paid by the defendants will be refunded to them. A settlement conference with the magistrate judge will be scheduled. A separate order regarding the settlement conference will issue.

**IT IS SO ORDERED.**

Dated: December 20, 2022

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge